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VIA HAND DELIVERY

Honorable Richard S. Berman
Daniel Patrick Moynihan
United States Courthouse
500 Pearl St., Room 650
New York, NY 10007Re: Richard Feiner and Co., Inc. v The New York Times Company, Photofest, Inc. and Howard
Mandelbaum
Case No. 07cv11218

6 to proceed as scheduled
on 2/11/08.

SO ORDERED:
Date: 2/6/08 *Richard M. Berman*
Richard M. Berman, U.S.D.J.

Dear Judge Berman:

We are counsel to Photofest, Inc. and Howard Mandelbaum, two of the defendants in the above-captioned action. We have just recently received a copy of the Complaint, an Answer for which is due tomorrow. Although the New York Times has also been named as a defendant, we understand they have not yet been served.

We have attempted to contact plaintiff's counsel to request an extension of time to Answer and to obtain consent to adjourn the currently February 11, 2008 initial conference before Your Honor, but were told by his office that he was out of the country until February 10. We requested his international number so we could arrange a phone conference, but have not been successful in contacting him via telephone. Nor has he responded to our e-mails. Given the above, we respectfully request an adjournment of the initial conference currently scheduled for February 11, 2008 at 9:15 am to a date in early March, as well as a 30 day extension of time within which to file an Answer.

Please advise if the foregoing will be granted.

Respectfully,

Nancy E. Wolff
Nancy E. Wolff 12/10

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